



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/703,479 | 10/31/2000 | Magnus Tillgren | 34650-655PT | 2185 |

7590 09/02/2004

Richard J Moura Esq
Jenkins & Gilchrist P C
1445 Ross Avenue Suite 3200
Dallas, TX 75202-2799

EXAMINER

NGUYEN, JENNIFER T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2674

DATE MAILED: 09/02/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,479

Applicant(s)

TILLGREN ET AL.

Examiner

Jennifer T Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10.11.12.13</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 06/21/2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Dymetman et al. (U.S. Patent No. 6,330,976).

Regarding claims 1 and 23, referring to Figs. 1, 4, 8, and 9, Dymetman teaches an electronic reading system, comprising: a formatted surface (2) (Fig. 1) having an area (i.e., active region) that includes a specific part of an address pattern, wherein a unique position on the address pattern can be identified from an examination of a portion of the address pattern; an electronic reading device (502) (Fig. 1) including a sensor (802) (Fig. 8) for detecting at least a portion of the specific part of the address pattern; and a server (4) associated with the specific part of the address pattern for receiving a message from the electronic reading device (502), said message sent in response to said detection, and for performing a function in response to said message (from col. 8, line 45 to col. 9, line 5, col. 10, lines 11-67, col. 14, lines 5-45, and from col. 23, line 46 to col. 24, line 12).

Regarding claim 2, Dymetman further teaches the address pattern comprises a pattern of dots (i.e., cells or zones) (col. 11, lines 1-27 and col. 13, lines 1-32).

Art Unit: 2674

Regarding claims 3-6, Dymetman further teaches the area of the formatted surface further includes printed hyperlink identification information (col. 24, lines 1-64).

Regarding claim 7, Dymetman further teaches the function comprises sending information associated with the specific part of the address pattern to an email address associated with a user of the electronic reading device (col. 35, lines 1-19).

Regarding claim 8, Dymetman further teaches the electronic reading device further includes a radio transmitter for sending data relating to the detected specific part of the address pattern to the server (Fig. 8) (col. 15, line 29 to col. 16, line 10).

Regarding claims 9-11, Dymetman further teaches a mobile station for receiving said data and for sending said message to the server (col. 24, lines 1-64).

Regarding claim 12, Dymetman further teaches the electronic reading device sends data relating to the detected specific part of the address pattern to the server using one of an infrared data transmission, inductive coupling, and a cable connection (col. 6, lines 55-65 and from col. 15, line 29 to col. 16, line 10).

Regarding claims 13-22 and 24-33, Dymetman further teaches the specific part of the address pattern relates to a product, printed publication, a business card, a transportation timetable, an identification of the object, an authentication of the object, office message state, geographical location, an indication that the specific part of the address pattern has been detected by the electronic reading device (from col. 31, line 41 to col. 32, line 34 and from col. 33, line 59 to col. 35, line 19).

Response to Arguments

4. Applicants' arguments filed 06/21/2004, have been fully considered but they are not persuasive because as follows:

In response to applicants' argument filed "Dymetman fails to teach or suggest a unique position on an address pattern that can be identified from an examination of a portion of the address pattern". Examiner disagreed because Dymetman teaches a unique position (i.e., unencoded binary data of an active region) on an address pattern (i.e., a page 2) that can be identified (machine-readable marking encoding) from an examination of a portion of the address pattern (2) (col. 14, lines 16-24, 39-45, from col. 23, line 46 to col. 24, line 12). Accordingly, Dymetman teaches the active area on the formatted surface with the unique unencoded binary data is formatted such that a position on the address pattern can be identified and encoded by an electronic reading device. Particularly, hyperlinks include on formatted surface, which can detect by electronic reading device and send to the server then the server performs an operation that corresponds to the selected hyperlink.

Therefore, it is believed that the limitations of claims 1-33 are still met by Dymetman and the rejection is maintained.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2674

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

JNguyen
08/23/2004


REGINA LIANG
PRIMARY EXAMINER

Application/Control Number: 09/703,479

Art Unit: 2674

Page 6